

PTO/SB/08A

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute of form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	10/790,885
		Filing Date	March 1, 2004
		First Name Inventor	Richard Kaplan
		Group Art Unit	3762
		Examiner Name	Unassigned
Sheet 1 of 7		Attorney Docket Number	204589-0010
U.S. PATENT DOCUMENTS			
Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
/A.C.	2003/0181821 A1	Greenwald et al.	9/25/2003
	6,625,485 B2	Levendowski et al.	9/23/2003
	6,575,902 B1	Burton	6/10/2003
	6,511,424 B1	Moore-Ede et al.	1/28/2003
	6,497,658 B2	Roizen et al.	12/24/2002
	6,496,724 B1	Levendowski et al.	12/17/2002
	2002/0183644 A1	Levendowski et al.	12/5/2002
	6,468,234 B1	Van der Loos et al.	10/22/2002
	2002/0082513 A1	Ennen et al.	6/27/2002
	6,392,962 B1	Wyatt	5/21/2002
	6,381,481 B1	Levendowski et al.	4/30/2002
	2002/0029005 A1	Levendowski et al.	3/7/2002
	6,353,396 B1	Atlas	3/5/2002
	2002/0005784 A1	Balkin et al.	1/17/2002
	6,322,515 B1	Goor et al.	11/27/2001
	6,317,627 B1	Ennen et al.	11/13/2001
	2001/0031930 A1	Roizen et al.	10/18/2001
	2001/0028309 A1	Torch	10/11/2001
	6,272,378 B1	Baumgart-Schmitt	8/7/2001
	6,239,706 B1	Yoshiike et al.	5/29/2001

Examiner Signature	/Aaron Colquitt/	Date Considered	07/04/2007
--------------------	------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office, Washington, DC 0231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute of form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	10/790,885
		Filing Date	March 1, 2004
		First Name Inventor	Richard Kaplan
		Group Art Unit	3762
Examiner Name		Unassigned	
Sheet <u>2</u> of <u>7</u>	Attorney Docket Number		204589-0010

U.S. PATENT DOCUMENTS

Examiner Initials	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
/A.C./	6,171,258 B1	Karakasoglu et al.	1/9/2001
	6,167,298	Levin	12/26/2000
	6,157,857	Dimpfel	12/5/2000
	6,078,549	Wyatt et al.	6/20/2000
	6,070,098	Moore-Ede et al.	5/30/2000
	Re. 36,450	Musha	12/21/1999
	5,999,846	Pardey et al.	12/7/1999
	5,928,133	Halyak	7/27/1999
	5,917,415	Atlas	6/29/1999
	5,902,255	Ogino	5/11/1999
	5,846,206	Bader	12/8/1998
	5,816,247	Maynard	10/6/1998
	5,813,993	Kaplan et al.	9/29/1998
	5,732,696	Rapoport et al.	3/31/1998
	5,724,990	Ogino	3/10/1998
	5,588,425	Sackner et al.	12/31/1996
	5,573,013	Conlan	11/12/1996
	5,520,176	Cohen	5/28/1996
	5,479,939	Ogino	1/2/1996
↓	5,299,118	Martens et al.	3/29/1994

Examiner Signature	/Aaron Colquitt/	Date Considered	07/04/2007
--------------------	------------------	-----------------	------------

EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office, Washington, DC 0231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute of form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> Sheet <u>3</u> of <u>7</u>		Complete if Known	
		Application Number	10/790,885
		Filing Date	March 1, 2004
		First Name Inventor	Richard Kaplan
		Group Art Unit	3762
		Examiner Name	Unassigned
		Attorney Docket Number	204589-0010
U.S. PATENT DOCUMENTS			
Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document
/A.C./		5,280,791	Lavie
		5,259,390	MacLean
		5,197,489	Conlan
		5,154,180	Blanchet et al.
		5,101,831	Koyama et al.
		4,776,345	Cohen et al.
		4,617,525	Lloyd
		4,550,736	Broughton et al.
		4,354,505	Shiga
		4,228,806	Lidow

Examiner Signature	/Aaron Colquitt/	Date Considered	07/04/2007
--------------------	------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office, Washington, DC 0231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute of form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/790,885
		Filing Date	March 1, 2004
		First Name Inventor	Richard Kaplan
		Group Art Unit	3762
		Examiner Name	Unassigned
Sheet 4	of 7	Attorney Docket Number	204589-0010
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.	
I.A.C.		RILEY, W. et al., "Initial Evaluation of a Computerized Behavioral Intervention for Primary Insomnia" Paper presented at the 36th Annual Convention of the Association for the Advancement of Behavior Therapy. Reno, NV (November 2002).	
		"Advanced Brain Monitoring, LLC. Announces New Research Program to Identify Indices of Alertness" <u>PR Newswire</u> (August 10, 1999).	
		"Interpreting the Brain", "Technologies, Products, and Market Applications - EEG", "Drowsiness Monitoring Device", "Patented Sensor Headset" Advanced Brain Monitoring, Inc. Home Page www.b-alert.com (2002)	
		SADEH, A. et al., "The Role of Actigraphy in the Evaluation of Sleep Disorders" <u>Sleep</u> (May 1995); 18(4):288-302.	
		DIRCKX, J., "Wake Me When It's Over: Sleep and Its Disorders" <u>Perspectives</u> (Spring 2000); 28-35.	
		XIN, P. et al., "Habituation of Sleep to Road Traffic Noise Assessed by Polygraphy and Rating Scale" <u>Journal of Occupational Health</u> (2000); 42:20-26.	
		EIKEN, T., "Equipment and Facility Considerations: Establishing a Sleep Disorders Center" <u>AARC Times</u> (May 1999); 35-38.	
		CRAIG, C., "Introduction to Sleep Disorders" HealthyInfo.com www.healthyinfo.com (2002).	
		PORTAS, C. et al., "Auditory Processing Across the Sleep-Wake Cycle: Simultaneous EEG and fMRI Monitoring in Humans" <u>Neuron</u> (December 2000); 28(3):991-999.	
		Principles and Practices of Sleep Medicine, Third Edition, Eds. Kryger, M. et al., Philadelphia, PA: W.B. Saunders Company (2000).	

Examiner Signature	/Aaron Colquitt/	Date Considered	07/04/2007
--------------------	------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office, Washington, DC 0231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute of form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/790,885
		Filing Date	March 1, 2004
		First Name Inventor	Richard Kaplan
		Group Art Unit	3762
		Examiner Name	Unassigned
(use as many sheets as necessary)		Attorney Docket Number	204589-0010
Sheet <u>5</u> of <u>7</u>			
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.	
/A.C./		BOOTZIN, R., <u>Behavioral Modification and Therapy – An Introduction</u> , Cambridge, MA: Winthrop Publishers, Inc. (1975).	
		LACKS, P., <u>Behavioral Treatment for Persistent Insomnia</u> , Pergamon Books, Inc. (1987).	
		YANG, C., "Insomnia" <u>American Academy of Neurology – Continuum</u> 8(6), Lippincott Williams & Wilkins, American Academy of Neurology (2002).	
		"Table DP-1: Profile of General Demographic Characteristics for the United States: 2000" <u>United States Census 2000</u> , U.S. Census Bureau.	
		BOOTZIN, R. et al., "Stimulus Control" <u>Treatment of Late-life Insomnia</u> , Eds. LICHSTEIN, K. et al., Thousand Oaks, CA: Sage Publications (2000).	
		BOOTZIN, R. et al. "Sleep Disorders" <u>Comprehensive Handbook of Psychopathology, Third Edition</u> , Eds. SUTKER P. et al., New York: Kluwer Academic/Plenum Publishers (2001).	
		BOOTZIN, R. et al., "Behavioral Treatments for Insomnia" <u>Progress in Behavior Modification, Volume 6</u> , Eds. HERSEN, M. et al, New York, NY: Academic Press, Inc. (1978).	
		DORSEY, C. et al., "Subjective and Psychophysiologic Insomnia: An Examination of Sleep Tendency and Personality" <u>Biological Psychiatry</u> (January 15, 1997); 41(2):209-216.	
		ESPIE, C. et al., "Substituting Behavioural Treatment for Drugs in the Treatment of Insomnia: An Exploratory Study" <u>Journal of Behavior Therapy & Experimental Psychiatry</u> (March 1988); 19(1):51-56.	
		HAURI, P., "Treating Psychophysiologic Insomnia with Biofeedback" <u>Archives of General Psychiatry</u> (July 1981); 38(7):752-758.	

Examiner Signature	/Aaron Colquitt/	Date Considered	07/04/2007
---------------------------	------------------	------------------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office, Washington, DC 0231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute of form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/790,885
		Filing Date	March 1, 2004
		First Name Inventor	Richard Kaplan
		Group Art Unit	3762
		Examiner Name	Unassigned
(use as many sheets as necessary)		Attorney Docket Number	204589-0010
Sheet	6 of 7	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.	
/A.C./		HAURI, P., "Consulting About Insomnia: A Method and Some Preliminary Data" <u>Sleep</u> (June 1993); 16(4):344-350.	
		MORIN, C. et al, "Nonpharmacologic Treatment of Chronic Insomnia: An American Academy of Sleep Medicine Review" <u>Sleep</u> (December 1999); 22(8):1134-1156.	
		ENGLE-FRIEDMAN, M. et al, "An Evaluation of Behavioral Treatments for Insomnia in the Older Adult" <u>Journal of Clinical Psychology</u> (January 1992); 48(1):77-90.	
		BOOTZIN, R. et al., "Nonpharmacologic Treatments of Insomnia" <u>Journal of Clinical Psychiatry</u> (June 1992); 53(Supp.):37-41.	
		SLOAN, E. et al., "The Nuts and Bolts of Behavioral Therapy for Insomnia" <u>Journal of Psychosomatic Research</u> (1993); 37(Supp. 1):19-37.	
		"2002 'Sleep in America' Poll" (March 2002), National Sleep Foundation.	
		ADACHI, Y., "Behavioral Treatment for Chronic Insomnia" <u>Seishin shinkeigaku zasshi = Psychiatria et neurologia Japonica</u> (2002); 104(6):513-528.	
		HAJAK, G. et al., "'As needed' Pharmacotherapy Combined with Stimulus Control Treatment in Chronic Insomnia - Assessment of a Novel Intervention Strategy in a Primary Care Setting" <u>Annals of Clinical Psychiatry: Official Journal of the American Academy of Clinical Psychiatrists</u> (March 2002); 14(1):1-7.	
		MORIN, C. et al., "Behavioral and Pharmacological Therapies for Late-life Insomnia: A Randomized Controlled Trial" <u>JAMA: The Journal of the American Medical Association</u> (March 17, 1999); 281(11):991-999.	
↓		VINCENT, N. et al., "Treatment Preference and Patient Satisfaction in Chronic Insomnia" <u>Sleep</u> (June 15, 2001); 24(4):411-417.	

Examiner Signature	/Aaron Colquitt/	Date Considered	07/04/2007
---------------------------	------------------	------------------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office, Washington, DC 0231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute of form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/790,885
		Filing Date	March 1, 2004
		First Name Inventor	Richard Kaplan
		Group Art Unit	3762
		Examiner Name	Unassigned
		Attorney Docket Number	204589-0010
Sheet <u>7</u> of <u>7</u>			
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.	
/A.C./		EDINGER, J. et al, "Cognitive Behavioral Therapy for Treatment of Chronic Primary Insomnia: A Randomized Controlled Trial" <u>JAMA: The Journal of the American Medical Association</u> (April 11, 2001); 285(14):1856-1864.	
		MORIN, C. "Nonpharmacologic Treatment of Chronic Insomnia. An American Academy of Sleep Medicine Review." <u>Sleep</u> (December 15, 1999); 22(8):1134-1156.	
		CHESSON, A. et al., "Practice Parameters for the Nonpharmacologic Treatment of Chronic Insomnia. An American Academy of Sleep Medicine Report. Standards of Practice Committee of the American Academy of Sleep Medicine." <u>Sleep</u> (December 15, 1999); 22(8):1128-1133.	
		KIRKWOOD, C. "Management of Insomnia" <u>Journal of the American Pharmaceutical Association</u> (Washington, DC: 1996) (September-October 1999); 39(5):688-696; Quiz 713-714.	
		"Practice Parameters for the Use of Polysomnography in the Evaluation of Insomnia. Standards of Practice Committee of the American Sleep Disorders Association." <u>Sleep</u> (January 1995); 18(1):55-57.	
		MORIN, C. "Cognitive-behavior Therapy for Late-life Insomnia" <u>Journal of Consulting and Clinical Psychology</u> (February 1993); 61(1):137-146.	
		EDINGER, J. et al., "A Cognitive-behavioral Therapy for Sleep-maintenance Insomnia in Older Adults" <u>Psychology and Aging</u> (June 1992); 7(2):282-289.	
		FRIEDMAN, L. et al., "A Preliminary Study Comparing Sleep Restriction and Relaxation Treatments for Insomnia in Older Adults" <u>Journal of Gerontology</u> (January 1991); 46(1):P1-8.	

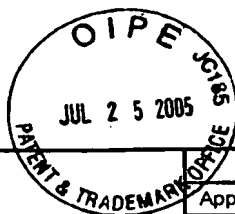
Examiner Signature	/Aaron Colquitt/	Date Considered	07/04/2007
--------------------	------------------	-----------------	------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer. Patent and Trademark Office, Washington, DC 0231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box → +



Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/790,885
Filing Date	March 1, 2004
First Named Inventor	Kaplan, Richard
Group Art Unit	3762
Examiner Name	Unassigned
Attorney Docket Number	086524-0010US

Sheet	1	of	1
-------	---	----	---

U.S. PATENT DOCUMENTS

Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
/A.C./	AA	5,928,133		Halyak	Jul. 27, 1999	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No*
/A.C./	AB	EP	0733504	A1	Oxford Medical Limited	May 14, 1997		

OTHER - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No*
/A.C./	AC	Yang, Chien-Ming, "Insomnia," <i>American Academy of Neurology - Continuum</i> , Vol. 8(6), Lippincott Williams & Wilkins, American Academy of Neurology, p. 106-118, (2002).		

Examiner Signature	/Aaron Colquitt/	Date Considered	07/04/2007
--------------------	------------------	-----------------	------------

* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).
 + An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).
 CH02/ 22397294.1